

AMENDED IN ASSEMBLY JUNE 29, 2006

AMENDED IN ASSEMBLY JUNE 22, 2006

AMENDED IN ASSEMBLY JUNE 12, 2006

AMENDED IN SENATE APRIL 26, 2006

AMENDED IN SENATE MARCH 30, 2006

SENATE BILL

No. 1670

Introduced by Senator Aanestad

February 24, 2006

An act to amend Section 114870 of the Health and Safety Code, relating to radiologic technology.

LEGISLATIVE COUNSEL'S DIGEST

SB 1670, as amended, Aanestad. Radiologic technology.

Existing law requires the State Department of Health Services to adopt regulations for the granting, with certain exceptions, of radiologic technology certificates to persons to perform procedures or applications of X-rays without limitation, except as specified by law, and of limited permits to persons to conduct radiologic technology limited to the performance of certain procedures or the application of X-rays to specific areas of the human body, and to prescribe minimum training, experience, and examination standards and procedures. Violation of these provisions is a crime. Existing law requires the department to appoint a certification committee to make recommendations pertaining to these regulations.

This bill would require the department to provide, upon recommendation of the committee, that a radiologic technologist who operates digital radiography equipment devote continuing education

credit hours to digital radiologic technology. This bill would also authorize limited permitholders employed in ~~an outpatient~~ *a setting other than a general acute care hospital*, as defined, with at least 15 hours of instruction in digital technology, to perform digital radiography. The bill would require the department to provide, upon recommendation of the committee, that a limited permit X-ray technician who has completed this education also devote continuing education credit hours to additional instruction in digital radiologic technology. By changing the definition of a crime, this bill would impose a state-mandated local program. It would require that an applicant for approval as a limited permit X-ray technician have at least 50 hours of formal classroom education in radiological protection and safety.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 114870 of the Health and Safety Code
2 is amended to read:
3 114870. The department shall do all of the following:
4 (a) Upon recommendation of the committee, adopt regulations
5 as may be necessary to accomplish the purposes of this chapter.
6 (b) (1) Provide for certification of radiologic technologists,
7 without limitation as to procedures or areas of application, except
8 as provided in Section 106980. Separate certificates shall be
9 provided for diagnostic radiologic technology, for
10 mammographic radiologic technology, and for therapeutic
11 radiologic technology. If a person has received accreditation to
12 perform mammography from a private accreditation
13 organization, the department shall consider this accreditation
14 when deciding to issue a mammographic radiologic technology
15 certificate.

1 (2) Provide, upon recommendation of the committee, that a
2 radiologic technologist who operates digital radiography
3 equipment devote a portion of his or her continuing education
4 credit hours to continuing education in digital radiologic
5 technology.

6 (c) (1) Provide, as may be deemed appropriate, for granting
7 limited permits to persons to conduct radiologic technology
8 limited to the performance of certain procedures or the
9 application of X-rays to specific areas of the human body, except
10 for mammography, prescribe minimum standards of training and
11 experience for these persons, and prescribe procedures for
12 examining applicants for limited permits. The minimum
13 standards shall include a requirement that persons granted limited
14 permits under this subdivision shall meet those fundamental
15 requirements in basic radiological health training and knowledge
16 similar to those required for persons certified under subdivision
17 (b) as the department determines are reasonably necessary for the
18 protection of the health and safety of the public. An applicant for
19 approval as a limited permit X-ray technician shall have at least
20 50 hours of formal classroom education in radiological protection
21 and safety.

22 (2) Provide that a limited permit X-ray technician employed in
23 ~~an outpatient setting, as defined in Section 1248, may also any~~
24 ~~facility, clinic, unlicensed clinic, center, office, or other setting~~
25 ~~that is not part of a general acute care facility, as defined in~~
26 ~~Section 1250, may also~~ perform digital radiography if he or she
27 has completed 15 hours or more of initial instruction in digital
28 radiologic technology approved by the department.

29 (3) Provide, upon recommendation of the committee, that a
30 limited permit x-ray technician who has completed the initial
31 instruction described in paragraph (2) devote a portion of his or
32 her required continuing education credit hours to additional
33 continuing instruction in digital radiologic technology.

34 (d) Provide for the approval of schools for radiologic
35 technologists.

36 (e) Provide, upon recommendation of the committee, for
37 certification of licentiates of the healing arts to supervise the
38 operation of X-ray machines or to operate X-ray machines, or
39 both, prescribe minimum standards of training and experience for
40 these licentiates of the healing arts, and prescribe procedures for

1 examining applicants for certification. This certification may
2 limit the use of X-rays to certain X-ray procedures and the
3 application of X-rays to specific areas of the human body.

4 (f) (1) Provide for certification of any physician and surgeon
5 to operate, and supervise the operation of, a bone densitometer, if
6 that physician and surgeon provides the department a certificate
7 that evidences training in the use of a bone densitometer by a
8 representative of a bone densitometer machine manufacturer, or
9 through any radiologic technology school. The certification shall
10 be valid for the particular bone densitometer the physician and
11 surgeon was trained to use, and for any other bone densitometer
12 that meets all of the criteria specified in subparagraphs (A) to
13 (C), inclusive, if the physician and surgeon has completed
14 training, as specified in subparagraph (A) of paragraph (2), for
15 the use of that bone densitometer. The physician and surgeon
16 shall, upon request of the department, provide evidence of
17 training, pursuant to subparagraph (A) of paragraph (2), for the
18 use of any bone densitometer used by the physician and surgeon.
19 The activity covered by the certificate shall be limited to the use
20 of an X-ray bone densitometer to which all of the following is
21 applicable:

22 (A) The bone densitometer does not require user intervention
23 for calibration.

24 (B) The bone densitometer does not provide an image for
25 diagnosis.

26 (C) The bone densitometer is used only to estimate bone
27 density of the heel, wrist, or finger of the patient.

28 (2) The certificate shall be accompanied by a copy of the
29 curriculum covered by the manufacturer's representative or
30 radiologic technology school. The curriculum shall include, at a
31 minimum, instruction in all of the following areas:

32 (A) Procedures for operation of the bone densitometer by the
33 physician and surgeon, and for the supervision of the operation of
34 the bone densitometer by other persons, including procedures for
35 quality assurance of the bone densitometer.

36 (B) Proper radiation protection of the operator, the patient, and
37 third parties in proximity to the bone densitometer.

38 (C) Provisions of Article 5 (commencing with Section
39 106955) of Chapter 4 of Part 1 of Division 104.

1 (D) Provisions of Chapter 6 (commencing with Section
2 114840) of Part 9 of Division 104.

3 (E) Provisions of Group 1 (commencing with Section 30100)
4 of Subchapter 4 of Chapter 5 of Division 1 of Title 17 of the
5 California Code of Regulations.

6 (F) Provisions of Group 1.5 (commencing with Section 30108)
7 of Subchapter 4 of Chapter 5 of Division 1 of Title 17 of the
8 California Code of Regulations.

9 (G) Provisions of Article 1 (commencing with Section 30250)
10 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17
11 of the California Code of Regulations.

12 (H) Provisions of Article 2 (commencing with Section 30254)
13 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17
14 of the California Code of Regulations.

15 (I) Provisions of Article 3 (commencing with Section 30265)
16 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17
17 of the California Code of Regulations.

18 (J) Provisions of Article 4 (commencing with Section 30305)
19 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17
20 of the California Code of Regulations.

21 (K) Provisions of Subchapter 4.5 (commencing with Section
22 30400) of Chapter 5 of Division 1 of Title 17 of the California
23 Code of Regulations.

24 (3) (A) Notwithstanding any other provision of law, this
25 subdivision shall constitute all the requirements that must be met
26 by a physician and surgeon in order to operate, and supervise the
27 operation of, a bone densitometer. The department may adopt
28 regulations consistent with this section in order to administer the
29 certification requirements.

30 (B) No person may be supervised by a physician and surgeon
31 in the use of a bone densitometer unless that person possesses the
32 necessary license or permit required by the department.

33 (C) Nothing in this subdivision shall affect the requirements
34 imposed by the committee or the department for the registration
35 of a bone densitometer machine, or for the inspection of facilities
36 in which any bone densitometer machine is operated.

37 (D) This subdivision shall not apply to a licentiate of the
38 healing arts who is certified pursuant to subdivision (e) or
39 pursuant to Section 107111.

1 (E) The department shall charge a fee for a certificate issued
2 pursuant to this subdivision to the extent necessary to administer
3 certification. The fee shall be in an amount sufficient to cover the
4 department's costs of implementing this subdivision and shall not
5 exceed the fee for certification to operate or supervise the
6 operation of an X-ray machine pursuant to subdivision (e). The
7 fees collected pursuant to this subparagraph shall be deposited
8 into the Radiation Control Fund established pursuant to Section
9 114980.

10 (g) Upon recommendation of the committee, exempt from
11 certification requirements those licentiates of the healing arts
12 who have successfully completed formal courses in schools
13 certified by the department and who have successfully passed a
14 roentgenology technology and radiation protection examination
15 approved by the department and administered by the board that
16 issued his or her license.

17 SEC. 2. No reimbursement is required by this act pursuant to
18 Section 6 of Article XIII B of the California Constitution because
19 the only costs that may be incurred by a local agency or school
20 district will be incurred because this act creates a new crime or
21 infraction, eliminates a crime or infraction, or changes the
22 penalty for a crime or infraction, within the meaning of Section
23 17556 of the Government Code, or changes the definition of a
24 crime within the meaning of Section 6 of Article XIII B of the
25 California Constitution.